

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Safe Pharmaceutical Disposal Act is amended by changing Sections 5 and 10 as follows:

(210 ILCS 150/5)

Sec. 5. Definitions. In this Act:

"Health care institution" means any public or private institution or agency licensed or certified by State law to provide health care. The term includes hospitals, nursing homes, residential health care facilities, home health care agencies, hospice programs operating in this State, institutions, facilities, or agencies that provide services to persons with mental health illnesses, and institutions, facilities, or agencies that provide services for persons with developmental disabilities.

"Law enforcement agency" means any federal, State, or local law enforcement agency, including a State's Attorney and the Attorney General.

"Nurse" means an advanced practice nurse, registered nurse, or licensed practical nurse licensed under the Nurse Practice Act.

"Public wastewater collection system" means any wastewater

collection system regulated by the Environmental Protection Agency.

"Unused medication" means any unopened, expired, or excess (including medication unused as a result of the death of the patient) medication that has been dispensed for patient or resident care and that is in a liquid or solid form. The term includes, but is not limited to, suspensions, pills, tablets, capsules, and caplets. For long-term care facilities licensed under the Nursing Home Care Act, "unused medication" does not include any Schedule II controlled substance under federal law in any form, until such time as the federal Drug Enforcement Administration adopts regulations that permit these facilities to dispose of controlled substances in a manner consistent with this Act.

(Source: P.A. 99-648, eff. 1-1-17; 100-345, eff. 8-25-17.)

(210 ILCS 150/10)

Sec. 10. Disposal of unused medications prohibited.

(a) Except for medications contained in intraperitoneal solutions, intravenous fluids, syringes, or transdermal patches, no health care institution, nor any employee, staff person, contractor, or other person acting under the direction or supervision of a health care institution, may discharge, dispose of, flush, pour, or empty any unused medication into a public wastewater collection system or septic system.

(b) A violation of this Section is a petty offense subject

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to a fine of \$500. Fines collected under this Act from facilities licensed under the Nursing Home Care Act shall be deposited into the Long Term Care Monitor/Receiver Fund. Fines collected from all other health care institutions under this Act shall be deposited into the Environmental Protection Trust Fund.

(Source: P.A. 96-221, eff. 1-1-10.)